

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/025,316

Confirmation No. 8207

Applicant : Cora ALISUAG

Filed : 18 December 2001

TC/A.U. : 2142

Examiner : Thong H. VU

Title : COMPUTER ORIENTED RECORD ADMINISTRATION SYSTEM

Docket No. : COR-001-US

Customer No. : 26659

TELEPHONIC INTERVIEW SUMMARY UNDER MPEP § 713.04

**PROPOSED AMENDMENT IN RESPONSE TO TELEPHONIC INTERVIEW WITH
EXAMINER**

5 April 2007

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

On 3 April 2007, the Examiner telephoned the undersigned, who had previously called the SPE on 15 March 2007 to discuss the general status of the instant application. The Examiner stated that although the claims are generally allowable, he indicated that the claims may need to be amended in view of the following two references: U.S. Patent No. **5,499,293** to Behram et al., and U.S. Patent No. **5,995,965** to Experton. However, the Examiner did not indicate any particular claims that would not be allowable over either Behram et al. or Experton; nor did the Examiner indicate any particular reason(s) why any claim of the instant application would not be allowable over both Behram et al. and Experton. No particular claims were discussed, nor were either Behram et al. or Experton, discussed. The Examiner offered to enter, by Examiner's Amendment, any amendments that may be necessary over either of Behram et al. or Experton. In response, the undersigned offered to consider both Behram et al. and Experton, and indicated that it may also be possible that no amendments will be necessary in view of these references.

Claim Status

Claims 1-43 are pending in the application.

Independent Claims in view of Behram et al. and Experton

Regarding claims 1, 20, 23, 33 and 40, Applicant respectfully submits that neither Behram et al. nor Experton, either alone or in combination, disclose or suggest, *inter alia*, the following elements of claims 1, 20, 23, 33 and 40:

First passkey from server to client (claims 1, 20, 23, 33 and 40): Applicant respectfully submits that neither Behram et al. nor Experton disclose or suggest a first passkey that is provided by the server to the first client.

Behram et al.

As best understood, in accordance with Behram et al., once a user gains access to the MedLynx™ card using the original cipher chosen by the user (col. 7, lines 12-15) and the proper authorization code (col. 7, lines 26-28), one is able to gain access to the information on the MedLynx™ card. However, there does not appear to be any teaching of a server generating a first passkey and providing this first passkey to a first user if a passcode (original cipher / proper authorization code) associated with the portable memory element (MedLynx™ card) is authentic.

Experton

As best understood, in accordance with Experton, a passcode is not needed to access information from the portable memory element (portable access device 100), but instead, the associated identification data 108 is stored therein, and possession of the portable access device would appear to be sufficient to access the data therefrom. The portable access device appears to interface with a local processing unit 200 (client computer system), which communicates with a remote processing unit 300 (server), however there does not appear to be any teaching of the server (remote processing unit 300) generating a first passkey and providing this to a first user if a passcode associated with the portable memory element is authentic.

First passkey from first user associated with first client to second user associated with second client (claims 33 and 40):

Applicant respectfully submits that neither Behram et al. nor Experton disclose or suggest providing for a first user associated with the first client computer system to provide a first passkey to at least one second user associated with at least one second client. As best understood, in accordance with Experton, the provider who controls the local processing device would appear to be able to access associated data on the basis of controlling the local processing device (col. 5, lines 41-49), and there does not appear to be a disclosure of a second user, who wishes to make a data request over a network 400, to first obtain a passkey from a first user associated with the portable memory element before the second user would be able to access the portable memory element.

Communication of information with second client (claims 1, 20, 23, 33, 40):

Applicant respectfully submits that neither Behram et al. nor Experton disclose or suggest providing for a first client to communicate with a second client if a second passkey corresponds to a first passkey.

Personal Identification Service server of a CORBAMED system (claim 20):

Applicant respectfully submits that neither Behram et al. nor Experton disclose or suggest, or in anyway mention, a CORBAMED system.

Applicant respectfully submits that neither Behram et al. nor Experton disclose or suggest the elements and limitations of claims 1, 20, 23, 33 and 40, the independent claims of the present application. Applicant respectfully submits that the claims of the instant application are further distinguished over Behram et al. and Experton for addition reasons, however, at this point, Applicant does not believe that further discussion of Behram et al. and Experton is necessary.

Specification

Both the SPE and the Examiner also stated that the terms “first passkey” and “second passkey” -- presently used only in the claims -- required clarification.

Although the specification presently refers only to the term “passkey”, the “first passkey” and “second passkey” were used in the claims so as to more particularly claim the invention. The “first passkey” is provided to the first client by the server. The first client then provides this or corresponding data -- referred to as the “second passkey” -- to the second client. The second client provides the “second passkey” to the server, which determines whether the passkey value provided by the second client (i.e. the “second passkey”) corresponds to the passkey that the server had provided to the first client (i.e. the “first passkey”). In one embodiment, the second passkey has the same value as the first passkey. Conceivably, the system could be defined so that the second passkey could be different from the first passkey in a predetermined way, so as to still “correspond” to the first passkey in step e. of claim 1.

Support for the “first passkey” is provided in originally filed claims **1, 11, 13, 20, 22, 23, 24, 33** and **40**. Support for the “second passkey” is provided in originally filed claims **1, 11, 13, 20** and **22**. Support for a “passkey” -- not characterized as either a “first passkey” or a “second passkey”-- is provided in **FIG. 2** of the drawings, and in the specification, as follows:

On page 3 at lines 25, 26, 28, 30 and 32;
On page 4 at line 11;
On page 6 at lines 18, 19, 21, 23 and 25;
On page 11 at lines 18 and 19;
On page 16 at lines 7, 8, 11, 12, 18 and 19;
On page 18 at lines 2 and 8; and
On page 20 at line 12.

The “first passkey” and “second passkey” are used to identify particular conditions or values of the “passkey”, so as to provide for distinguishing steps in the process depending upon whether or not the “second passkey” is valid. Referring to **FIG. 2**, in step 216, the first client obtains a passkey – referred to in the claims as the “first passkey” -- from the server if, in step 212, the passcode is authentic. In step 218, the first client then provides the passkey, i.e. “first passkey”, to the second client. Now, the “second client” could either be a valid second client providing a valid passkey, as valid second client providing an erroneous passkey (e.g. by mistake), or an imposter. Accordingly, for purpose of the claims, the passkey provided to the server by the second client in step 220 is referred to as a “second passkey”. If, in step 222, the “second passkey” provided by the second client is valid, i.e. corresponds to the “first passkey”, then in step 224, interactive communications are enabled between the first and second clients. If the value of the passkey provided by the second client was not the same as the value of the first passkey – e.g. because of either a mistake or a fraud – then the passkey provided by the second client would not be the same as the passkey provided to the first client. Accordingly, the terms “first passkey” and “second passkey” were introduced to account for this possibility, so as to provide for more particularly claiming the invention.

Applicant proposes the following amendment to the specification in order to provide explicit support therein for the terms “first passkey” and “second passkey”:

Proposed Amendment to the Specification:

Please replace the paragraph beginning at on page 3 at line 23 with the following:

Following step (214), if the **first user 40.1** -- e.g. a paramedic -- needs to communicate with a **second user 40.2** -- e.g. an emergency room doctor, -- e.g. either to share information or to seek advice, then, in step (216), the **first user 40.1** may obtain a passkey, i.e. a first passkey, from the **server computer system 12**, which passkey will serve as a temporary password to enable the **second user 40.2** to communicate with the **first user 40.1** via the **server computer system 12**. In step (218), the **first user 40.1** provides the passkey to the **second user 40.2** via a separate communications channel, e.g. a **radio 44** or telephone, e.g. cellular phone. Then, in step (220), the **second user 40.2** provides the passkey, i.e. a second passkey, to the **server computer system 12**, e.g. via the **keyboard or keypad 28**, the **writing tablet 32** or the **microphone 30** of the **second client computer system 14.2**. If, in step (222), the passkey provided by the **second user 40.2** is valid, then, in step (224), interactive communications are enabled between the **first 40.1 and second 40.2 users**, e.g. via a secure chat room, wherein the messages communicated therebetween may be recorded on the **portable memory element 22** and/or in the **memory 42** of the **server computer system 12**. Furthermore, in step (226), the **second client computer system 14.2** and the associated **second user 40.2** are given access to the data on the **portable memory element 22**, for example, to the medical records and insurance information of the patient. In addition to the interactive communications -- in either voice or text -- other information may be recorded on the **portable memory element 22** during the interactive communications session. For example, the **first user 40.1** could test the **patient 24** with one or more **medical instruments 46**, the data from which could be either be automatically read and stored by the **first client computer system 14.1**, or recorded by the **first user 40.1** in the voice or data communications stream. If, from step (222), the passkey is not valid, then the process repeats with step (220).

Summary and Conclusions

Applicant respectfully submits that the claims of the instant application, as presently amended, are distinguished over both U.S. Patent No. **5,499,293** to Behram et al., and U.S. Patent No. **5,995,965** to Experton. An amendment to the specification has been proposed that will provide explicit support for the terms “first passkey” and “second passkey” used in the claims. Applicant respectfully request allowance of the instant application in view of these remarks, with or without entry of the proposed amendment to the specification.

Respectfully Submitted,

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